

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4694 OF 2020

Shaikh Chand Shaikh Amir ... Petitioner

VERSUS

The State of Maharashtra & ors. ... Respondents

Mr S.B. Pulkundwar, AGP for respondent Nos.1 to 4

**CORAM : RAVINDRA V. GHUGE
AND
S.G. MEHARE, JJ**

DATE : 13th July, 2021

P.C.

1. On 2.7.2021 we had passed the following order :-

"1. Even at the second call, none is present to represent the petitioner, through the online mode or by remaining present in the Court hall in which the facility to address the Court through video conferencing has been made.

2. Stand over to 13.07.2021 for passing orders."

2. Even today, none is present for the petitioner, either through the online mode or by remaining present in the Court hall in which the arrangement to address us through video conferencing has been made. We, therefore, directed the Sheristedar to flash the name of the learned Advocate for the

petitioner on the display board and granted a pass over. After lunch session, having displayed his name on the display board, this matter was called out. Yet, the Advocate representing the petitioner is not present.

3. With the assistance of the learned A.G.P., we have considered prayer clause (B) and have perused a lengthy purported representation dated 14.1.2019 made by the petitioner to the Collector. The prayers put-forth by the petitioner in the said representation read thus :-

“Hence prayer

That, in the interest of justice by making inquiry in this matter, the Panchalpur Patrakar Sahakari Grah nirman Sanstha, Maryadit Kandhar, Taluka Kandhar, Dist. Nanded may kindly be evicted by resuming/ taking back the possession of land bearing survey number 21, area Adm. 50 Ars which is allotted to the housing society.

In alternate to that,

The Panchalpur Patrakar Sahakari Grah nirman Sanstha, Maryadit Kandhar, Taluka Kandhar, Dist. Nanded may kindly be directed to allot the plot to Applicant in compliance to the allotment order.”

4. It is quite obvious that this petition which raises contentious issues and disputed questions, would not be maintainable under our extra-ordinary writ jurisdiction.

5. As such, this petition stands disposed off. We grant liberty to the petitioner to avail of a remedy as may be permissible in law.

[S.G. MEHARE, J.]

[RAVINDRA V. GHUGE, J.]

amj